



120 IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

CR No. 5286 of 2025 (O&M)  
DATE OF DECISION: 19.08.2025

ANIKETA OVERSEAS PVT. LTD REGISTERED AND HEAD  
OFFICE AT INDUSTRIAL PLOT NO. 169-170, INDUSTRIAL  
ESTATE, UDYOG VIHAR, PHASE VI, SECTOR 37 GURGAON  
THROUGH ITS DIRECTOR SH. AJAY CHANDRA

.....PETITIONER

Vs.

LORENZINI APPARELS PVT. LTD. AND ANOTHER

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE AMARINDER SINGH GREWAL

Present: Mr.Sandeep Sharma, Advocate,  
for the petitioner.

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**AMARINDER SINGH GREWAL, J.**

1. Prayer in the present Civil Revision Petition, filed under Article 227 of the Constitution of India, is for setting aside the impugned order dated 28.05.2025 (Annexure P-6), passed by the learned Civil Judge (Senior Division), Gurugram, whereby the application filed by the respondents-defendants under Section 151 of the Code of Civil Procedure, 1908 (for short, "*the CPC*"), read with Section 45 of the Indian Evidence Act, 1872/Section 39(1) of the Bharatiya Sakshya Adhiniyam, 2023, seeking permission to examine the handwriting expert in respect of the title suit land, has been allowed.

2. I have heard learned counsel for the revisionist-petitioner and perused the paper-book.



3. Facts of the present case are that the petitioner, Aniketa Overseas Pvt. Ltd., had filed a suit for recovery of Rs. 12,23,924/- against the respondent, Lorenzini Apparels Pvt. Ltd., and another. The written statement was filed by the respondents-defendants. The suit was filed by the petitioner on the basis of invoices. During the pendency of the case, the petitioner-plaintiff filed an application on 14.03.2019, seeking permission to verify the signatures of PW-1 through a handwriting expert. The same was allowed by the Court, vide order dated 28.04.2022 (Annexure P-3).

3.1 Thereafter, the respondents-defendants moved an application dated 13.02.2025 (Annexure P-4), seeking permission to examine a handwriting expert, submitting that several observations as to the similarities in the disputed and comparative signatures were omitted by PW-5, the handwriting expert examined by the petitioner.

3.2 The reply to the said application was filed by the petitioner-plaintiff on 03.03.2025 (Annexure P-5).

3.3 After considering the rival contentions of the parties, the learned Civil Judge (Senior Division), Gurugram, allowed the application for examining a handwriting expert for comparison of the signatures of the petitioner-plaintiff on the disputed letters and invoices.

4. The grievance of the petitioner-plaintiff is that since he had already examined an expert, the second application for examining a handwriting expert moved by the respondents-defendants ought not to have been allowed, as the disputed signatures had already been compared by PW-5.



5. In view of the order proposed to be passed, notice is not being issued to the respondents as it would delay the proceedings besides entailing additional expense to them.

6. Keeping in view the facts and circumstances of the present case, this Court finds that when the petitioner-plaintiff had examined his handwriting expert, there was no hitch or legal impediment preventing the respondents-defendants from examining their handwriting expert with respect to the disputed signatures of the petitioner-plaintiff. On the contrary, proper adjudication of the case can only be arrived at when complete and proper evidence is placed on record. The petitioner cannot be permitted to contend that since he has examined his expert, the respondents-defendants are debarred from examining their handwriting expert for comparison of the petitioner's disputed signatures.

7. In paragraph No. 6 of their application, the respondents-defendants submitted that the disputed and comparative signatures were not proximate in point of time; and that, as per settled studies, experts are advised to compare disputed signatures with those made in close temporal proximity. It was further pleaded that both the disputed and comparative signatures appeared to be executed in a single pen operation, and that while the disputed signatures were written by PW-1 in the form of handwriting, the comparative signatures were executed by PW-1 in the form of signatures.

8. Therefore, if the respondents-defendants intend to examine their handwriting expert on the aforesaid points, this Court is of the



considered view that the learned lower Court rightly allowed their application, holding that the defendants' evidence is substantially dependent on the disputed signatures being those of the petitioner. Moreover, allowing the application would ensure a fair opportunity to the defendants, particularly since the petitioner was also granted a similar opportunity to adduce expert evidence in support of his case.

9. Thus, on an appreciation of the above facts, this Court finds no illegality in the order dated 28.05.2025 (Annexure P-6), passed by the learned Civil Judge (Senior Division), Gurugram.

10. Accordingly, this Court finds no merit in the prayer for setting aside the said order. Finding no illegality therein, the present revision petition, being devoid of merit, is dismissed.

11. Pending miscellaneous application(s), if any, shall also stand disposed of.

**AUGUST 19, 2025**  
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**(AMARINDER SINGH GREWAL)**  
**JUDGE**

Whether Speaking	Yes
Whether Reportable	No